



NEWS RELEASE

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New Laws Will Help Protect Against Identity Theft

SACRAMENTO – Several bills signed by Governor Arnold Schwarzenegger will help prevent identity theft in California. Among them are measures that will ban “phishing,” increase the penalties for “spam,” and outlaw the use of equipment to make fake documents.

“These measures will greatly add to the arsenal of privacy protection measures in California,” said Charlene Zettel, Director of the California Department of Consumer Affairs. “California already leads the nation in protecting its residents against identity theft, and these measures place California even further ahead in that effort.”

Among the privacy protection measures signed by the Governor, which will take effect January 1, 2006, are:

- **SB 355 by Senator Kevin Murray (D-Los Angeles) - Internet regulation.**

SB 355 makes the practice of Internet “phishing” a crime in the state of California.

“Phishing” is practiced by Internet hackers who use email to hook consumers into giving out personal information such as social security numbers or credit card numbers. This information is then used to defraud consumers.

- **AB 1069 by Assemblymember Cindy Montanez (D-San Fernando) - Deceptive identification documents.**

AB 1069 makes it a crime to possess deceptive identification document-making devices with the intent to use the device(s) to manufacture, alter, or authenticate a deceptive identification document.

- **SB 97 by Senator Kevin Murray (D-Los Angeles) - Commercial electronic mail: penalties.**

SB 97 makes it a misdemeanor to violate California's anti-spam law by sending unsolicited commercial e-mail ("spam") and provides for penalties of a fine up to \$1,000, up to six months in jail, or both.

- **SB 158 by Senator Michael J. Machado (D-Linden) - Powers of attorney: social security numbers.**

SB 158 eliminates the requirement to provide a Social Security Number on a power of attorney form and authorizes any party accepting the form to seek identification of the agent.

- **SB 13 by Senator Debra Bowen (D-Marina del Rey) - Personal information.**

SB 13 requires that the Committee for the Protection of Human Subjects at the Health and Human Services Agency approve scientific research proposals before state agencies are permitted to disclose personal information to be used while conducting scientific research.

- **SB 460 by Senator Bob Margett (R-Arcadia) - Offender access to personal information.**

SB 460 expands existing law to prohibit any county jail or state prison inmate from having any job that provides access to the personal information of private individuals.

- **AB 361 by Assemblymember Sharon Runner (R-Lancaster) - Notaries public.**

AB 361 makes it a misdemeanor for notaries public to willfully fail to perform the required duties of a notary and requires the court to revoke a notary's commission if the notary is convicted of a felony or for willfully failing to perform his or her duties. This bill also clarifies that the crime of forgery includes falsifying an acknowledgement of a notary.

Privacy Protection Laws

3-3-3

- **AB 1517 by Assemblymember Sharon Runner (R-Lancaster) - Department of Managed Health Care: employee information.**

AB 1517 would permit the Department of Managed Health Care (DMHC) to run criminal background checks on any prospective employee whose duties would include access to medical information. This bill also requires the DMHC to conduct criminal background checks on any contractor, its employees, agents or subcontractors that, as a part of their contracts with the DMHC, will have access to medical records.

This year, the Governor also increased the budget for the California Office of Privacy Protection (COPP) by \$446,000 to help protect against identity theft, including education and outreach efforts to consumers and organizations throughout California.

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